

BROOKLYN'S FAMOUS "LOOP."

LIEUT. HEILNER DESCRIBES IT TO THE SCHLEY COURT.

Says His Heart Was in His Mouth When He Saw the Brooklyn Come Looming Up Ahead of the Texas Out of a Cloud of Smoke—Thinks the Texas Was in Greater Danger Than He.

WASHINGTON, Sept. 23.—When the Schley Court of Inquiry concluded its session this afternoon, there was no doubt in the minds of the several hundred persons who listened to the proceedings that this was by far the most interesting of the three days that the court has been taking testimony. If any one thing stood out more prominently than another in the four hours of lively interchanges between the attorneys on both sides and rigid examination of principal witnesses, it was the changed bearing of the representatives of the Navy Department toward the counsel for Admiral Schley.

Heretofore Capt. Lemly, the Judge Advocate, and Mr. Hanna, his assistant, have not entered into the legal arguments which have arisen over the admission of testimony, with the same spirit that has characterized the proceedings. They have not testified their opponents. Mr. Hanna, the most active of Admiral Schley's attorneys, or persistent as all three of the counsel for the "applicant," as Admiral Schley is called.

To-day, however, they demonstrated that they could fight quite as aggressively and quite as persistently as the distinguished civilian lawyers who are looking out for Admiral Schley's interests. They have not only testified that a policy of extreme courtesy and gentle endeavor was not the best in dealing with a man so full of vigor and battle as Mr. Hanna, but they have also testified that they were particularly emphatic in making the Court and Admiral Schley's counsel understand that they would resist to the utmost any attempt to make Admiral Sampson a party to the case.

NATURE OF SCHLEY'S DEFENSE.
The nature of part of Admiral Schley's defense was disclosed by his counsel to-day during two efforts on their part to secure statements from a witness as to the character of the blockade maintained by Admiral Sampson at Santiago, and the participation of his flagship, the New York, in the battle of July 3.

According to their representations to the Court, they intended to show that if Sampson's blockade was good, then so was Schley's, for the reason that they were of the same character and general arrangement, and more important than that, they promised to bring out that if Schley was culpable for failing to destroy the Colon, Sampson was equally guilty, because for four hours after the arrival of Sampson at Santiago the Colon lay in the same position at the mouth of the harbor that she was in during the three days that Schley saw her, and Sampson made no effort to attack her. Admiral Schley's counsel said that they proposed to show also that what Schley did to destroy the Colon, Sampson was equally guilty of doing, because for four hours after the arrival of Sampson at Santiago the Colon lay in the same position at the mouth of the harbor that she was in during the three days that Schley saw her, and Sampson made no effort to attack her.

Admiral Schley's counsel were apparently satisfied with this but a moment later Mr. Hanna arose and said that his side would put the entire logs in evidence. He said that the logs in evidence in the case of the Colon were the logs of the New York, and that the logs of the New York were the logs of the Colon. He said that the logs of the New York were the logs of the Colon, and that the logs of the Colon were the logs of the New York.

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that interested those who were aware of it. When the Court assembled, a young, smooth-faced man in service uniform of a naval officer, sat beside Judge Advocate Lemly. He was Lieut. Henry H. Ward, who has been accused by Admiral Schley's friends of a too active interest in securing evidence against the commander of the Flying Squadron. It was Lieut. Ward who acted as Recorder of the board of officers appointed by the Secretary of the Navy to obtain evidence from the official records of the reasons for President McKinley's nomination for advancement of officers who served in the war with Spain. This board took from the records the documents which formed the basis of Secretary Long's indictment of Admiral Schley to the Senate Committee on Naval Affairs. Lieut. Ward was then attached to the Bureau of Navigation and he has recently returned to Washington to assist in getting together the documents showing the part played by Admiral Schley in the later stages of the war.

He reported to the Court of Inquiry to-day under orders from the Secretary of the Navy to aid the Judge Advocate in keeping track of records and charts which are to be introduced as evidence, and that his appearance there was resented by Admiral Schley's legal representatives was made plain before the day was over.

While Lieutenant-Commander Heilner was testifying, Lieut. Ward made a remark that the distances on the Navigator's chart were in statute and not nautical miles and this brought from Mr. Hanna the admonition to "Keep out of this." Later, Capt. Parker of Admiral Schley's counsel made some reference to Lieut. Ward, which was presumably not complimentary, and again, just before the court adjourned, objected to his alleged interference with a witness.

Commander Bates, chief engineer of the Texas, was in the witness chair examining the log of that vessel and Lieut. Ward looked over his shoulder.

"Will you keep that gentleman from hanging over that witness and examining that book?" Capt. Parker burst out, addressing the Court.

He was ordered here by the Navy Department, said Admiral Dewey quietly. "I can't help that," responded Capt. Parker. "I object to it."

Lieut. Ward finished his inspection just then and returned to his seat.

DISPUTE OVER LOGS OF VESSELS.
The proceedings at the opening of the Court were enlivened by a legal controversy over printing the logs of vessels engaged in the West India naval campaign. When Capt. Lemly, the Judge Advocate, offered in evidence the logs of one of the vessels, evidence of the New York, and Judge Wilson suggested that it be put in with the rest. Capt. Lemly said he had no objection to it, but he was not offering it. "Let's put them all in," suggested Judge Wilson, and this brought from Capt. Lemly an explanation that, naturally, in preparing his case he could not permit the logs to be merely put in for the purpose of being used to have them printed and made part of the record.

Capt. Lemly then submitted a list of the parts of the logs of vessels that he wanted printed and explained that his reason for presenting them was that there was a plaintive cry on Saturday for the logs.

Mr. Hanna wanted the logs of the vessels for July 2, indicated.

Capt. Lemly said that he did not want to put anything at this time except what he had indicated; he wanted only what would form a consecutive record.

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Navy Department as to the question of veracity raised in the public prints between the two naval officers. He was examined officially and said that Mr. Hodgson did tell him of the colloquy. Mr. Hodgson admitted the substantial accuracy of the colloquy and denied that his letter of denial to Admiral Schley was accompanied by another letter in which Mr. Hodgson explained that the letter was intended only to deny the literal accuracy of the colloquy as printed.

ABOUT CENFUEROS.
One of the matters which the Court of Inquiry was directed to investigate was the propriety of Admiral Schley's conduct in printing the letter explaining that the denial was only of the literal accuracy. But the examination of Mr. Heilner to-day did not touch on the colloquy. Most of the questions asked him related to the effect of the Brooklyn's "loop" on the position of the Texas in the fight with Cervera's ships.

For part of the time he was on the stand, Lieutenant-Commander Heilner was the center of a heated discussion between the opposing counsel, and several of the certain statements made by him.

Examined by Judge Advocate Lemly, Mr. Heilner said that the Texas was part of the Flying Squadron and was a ship flying under the American flag, and was subsequently part of the North Atlantic fleet, commanded by Admiral Sampson.

Q. Do you remember when the fleet was approaching Cenfueros about the 21st of May? A. I do.

Q. Did you hear any guns fired in any direction that day? A. I did not. (Admiral Schley had reported officially that he heard guns at Cenfueros and supposed the Spanish fleet had arrived and was being resisted.)

Q. When you arrived at Cenfueros what efforts, if any, were made, within your knowledge, to ascertain whether the Spanish squadron under Admiral Cervera was in the port of Cenfueros or communicating with the insurgent fleet? A. None to my knowledge.

Q. After you had been there a few days, however, communication was had with them, was it not? A. I remember seeing the Maribou steamship to the west and I was informed that she had communicated.

Q. Was there any effort made to get the shore batteries to open fire on the vessels on the shore in the vicinity of Cenfueros? A. Not to my knowledge.

Q. What kind of weather did the Texas have when off the coast? A. Very good.

Q. Did you coal when there? A. No, sir, we afterwards did take coal. The day was so rough that we were not going to coal. The coal did not want to come along side. The coalier, when signaled, returned to the line.

Q. Do you recollect when the Flying Squadron went to Santiago what was the first stopping after leaving Cenfueros? A. In the neighborhood of twenty or twenty-five miles south, a little to the east of Santiago.

Q. Did the Texas delay the squadron any on this passage? A. Yes.

Q. What, if any, delay did the Texas make? A. None of the fighting ships. The Eagle did.

Q. Do you recollect whether the Texas coasted on the 26th of May, and where she was at the time? A. I think it was on the 26th of May that we went alongside of the Merrimack to the westward of where we were when we stopped to coal.

Q. Had you drifted to the westward of had the Merrimack? A. Understood.

Q. Where was the Texas on the 31st of May at the time of the bombardment of the Colon? A. We were coaling from one of the coaling ships.

Q. Did you observe that action? A. Yes, I happened to be on deck when the first shot was fired.

Q. How did the shots fall? A. Those that I saw fell very short.

Q. Short from where here, or short from the Colon? A. I think we saw the Colon from where we were. When I saw that the shots fell short I meant shots from the Colon.

Q. Do you know how the shots of our own guns fell? A. I saw one or two that struck the water.

TELETYPE STORY OF THE BROOKLYN'S LOOP.
Then the story of the part played by the Brooklyn in the naval battle of Santiago was told.

Q. Where were you on that 3d of July at the time that the two squadrons went into action with Cervera's fleet coming from the east? A. I was on the Brooklyn.

Q. Describe the narrative form the part which the Texas took in that action. Particularly in the early part of it and what other vessels of our squadron, if any, came into close proximity with the Texas? A. The Texas had been heading about east, when the enemy was seen coming from the east. I saw the Texas lead and speed and put her helm hard to starboard. When I got on deck he informed me that the Texas was leading the Brooklyn.

Q. The captain (Phillip) told me he would see the helm signal from the Texas. I suggested that I should go out there. I suggested that I should go out there. I suggested that I should go out there.

Q. All right, Captain. I'll look at the Brooklyn no more, and I turned my back upon her. After we got a little on the port helm and to get closer. He sang out to the man at the engine room indicator to slow down. I stopped at the indicator and he put get away from us. He did not answer me, but said "Back." Then I said "My Lord, Captain, we're out of the fight."

Q. The Brooklyn, the Texas, and the rest of the fleet, were all heading about east, when the enemy was seen coming from the east. I saw the Texas lead and speed and put her helm hard to starboard. When I got on deck he informed me that the Texas was leading the Brooklyn.

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attempt to get the opinion of the witnesses about the loop.

The court retired to consider the objection and came back in less than ten minutes. Admiral Dewey announced that the objection was sustained. This was the first real victory of the Judge Advocate. The decision may have an important bearing on the trial.

Capt. Lemly repeated the question to Mr. Heilner, and the latter answered him this way: "Looking back, I can see the time of the greatest danger was when the Brooklyn loomed out of the smoke right ahead of us."

Continuing his examination, Capt. Lemly asked the witness: Do you know whether or not Capt. Philip had had experience of perhaps an unusual character in handling ships, and if so, state what it was?

Lieutenant-Commander Heilner—Yes, he had more than the usual experience. He had been for several years in command of the Pacific Mail Steamship Company and always handled his own vessel. I never sailed with any man who could handle a ship under such conditions as he, or any man who had a quicker eye to observe.

Q. What is your estimate of the time in the performance of these evolutions on the Texas? A. The time of performing the evolutions was perhaps not more than a minute and a half. Perhaps we were a deal more time when we started ahead in getting full speed on the engines. It took perhaps two or three minutes to start, to slow and to stop. The ship was under way when we started.

Q. How did the Brooklyn compare with the Texas during the run to the westward after the signal to start? A. I cannot say. I was not on the Texas at that time. I was on the Brooklyn.

Q. Do you know how the Texas was heading at that time? A. I do not. I was not on the Texas at that time. I was on the Brooklyn.

Q. Can you give an estimate of the distance from the Texas to the Brooklyn at that time? A. Yes, my estimate is three miles. That was due partly to a fault in the Texas. It took some time to get one of the boilers to work, and that is where we lost.

SCHLEY'S BLOCKADE DESCRIBED.
Lieutenant-Commander Heilner then described the blockade maintained by the Flying Squadron off Santiago before Sampson arrived. When it got dark and the smoke cleared, the Flying Squadron was seen. The vessels steamed across the mouth of the harbor back and forth. In the day-time they did not remember that there was any sign of the blockade.

Q. How did the Flying Squadron compare with the Texas during the run to the westward after the signal to start? A. I cannot say. I was not on the Texas at that time. I was on the Brooklyn.

Q. Do you know how the Texas was heading at that time? A. I do not. I was not on the Texas at that time. I was on the Brooklyn.

Q. Can you give an estimate of the distance from the Texas to the Brooklyn at that time? A. Yes,